IN THE HIGH OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

(*Special Original Jurisdiction*)

TUESDAY, THE ELEVENTH DAY OF DECEMBER
TWO THOUSAND AND SEVEN

P R E S E N T

THE HON'BLE SRI JUSTICE P.S. NARAYANA

* * *

WRIT PETITION No.26316 of 2007

Between:

Prof. Anand Mohan … Petitioner

Versus

The Commissioner of Endowments,
Dharmika Bhavan, Tilak Road,
Boggula kunta, Hyderabad &Anr. … Respondents

Counsel for the Petitioner: **SRI A KRISHNA MURTHY (87)**

Counsel for the Respondents: **GP for ENDOWMENTS**

THE HON'BLE SRI JUSTICE P.S. NARAYANA

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WRIT PETITION No.26316 of 2007

O R D E R :

Heard Sri A. Krishnamurthy, the learned counsel for the writ petitioner and the learned Assistant Govt.Pleader for Endowments.

2. The matter is coming up for admission.

3. The main grievance of the writ petitioner is that when the OA is pending from 2003 onwards on the file of second respondent, without taking appropriate decision on the said OA, the first respondent is proceeding with the constitution of trust board. Hence, the rights of the writ petitioner would be prejudiced.

4. On the contrary, the learned Assistant Govt.Pleader for Endowments would submit that notification was issued on 01-10-2007 whereas the representation was made by the petitioner to the first respondent on 07-11-2007 and in the light of the facts and circumstances, it may not be just to further stall constitution of trust board. Let thereby a direction to the second respondent to dispose of the OA at the earliest point of time.

5. Heard both the counsel.

6. The writ petition is filed for a writ of mandamus to declare the impugned notice RC.No.B1/35610/2007 dated 01-10-2007 proposed to constitute a trust board to Sri Brahmaramba

Mallikarjuna swamyvari Devastanam, Ameenpur village, Beeramguda Mandal, Medak district during the pendency of the OA. before the second respondent as illegal, arbitrary, unjust and opposed to the provisions of Endowment Act (Act 30 of 1998) and consequently to set aside the same.

7. Several facts had been narrated in the affidavit filed in support of the writ petition.

8. In view of the facts and circumstances, let the first respondent consider and dispose of the representation of the petitioner dated 07-11-2007 within a period of two weeks from the date of receipt of a copy of this order and till then statusquo obtaining as on today to be maintained. Let the second respondent also take an appropriate decision by disposing of the O.A. said to be pending on his file, filed by the writ petitioner within a period of four weeks from the date of receipt of a copy of this order.

9. The writ petition is disposed of at the stage of admission. No costs.

JUSTICE P S NARAYANA.

10/12/2007.

NB:

Furnish CC of the order
today.

B/o. lsL.